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October 3, 2023

VIA - ECF

Honorable Michael A. Shipp, U.S.D.J.
United States District Court
Clarkson S. Fisher Building & US Courthouse
404 East State Street
Trenton, NJ 08608

Hon. Rukhsanah L. Singh, U.S. Magistrate Judge
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, NJ 08608

**Re: Johnson & Johnson Talcum Power Products, Marketing, Sales Practices and
Products liability Litigation
Case No.: 3:16-md-02738-MAS-RLS**

Dear Judge Shipp and Judge Singh:

Counsel for plaintiffs and defendants submit this proposed order on amendment of complaints pursuant to paragraph 4 of Your Honor's September 6, 2023 Order. This proposed order should eliminate the need in the short run for multiple motions to amend.

Thank you for your consideration of these matters.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Susan M. Sharko".

Susan M. Sharko

SMS

All counsel via ECF

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**IN RE: JOHNSON & JOHNSON
TALCUM POWDER PRODUCT
MARKETING, SALES
PRACTICES AND PRODUCTS
LIABILITY LITIGATION**

This Document Relates to All Cases

**Civil Action No. 3:16-md-2738-
MAS-RLS**

MDL No. 2738

ORDER GOVERNING AMENDMENTS TO COMPLAINTS

This matter having come before the Court upon the joint application of the Parties, and the Court having reviewed the matter,

IT IS ON THIS _____ day of _____, 2023,

ORDERED THAT:

1. Plaintiffs are hereby granted leave to amend their complaint to substitute the party plaintiff so long as no new defendants are added to the complaint and as necessary, documents establishing the newly substituted plaintiff's authority to prosecute the action (as defined by applicable state law) are attached as an exhibit to the complaint. No further permission of the Court is required for amendments that comply with these requirements. All challenges to the amendments to substitute parties are reserved until a case receives a notice of remand. This provision of this Order does **not** grant leave to amend any complaint to add new Defendants.

2. On August 14, 2023, Plaintiffs filed a Renewed Motion for Leave to File a Second Amended Master Long Form Complaint (the “Motion to Amend the Master Complaint”). [Doc. No. 26636]

3. The Renewed Motion to Amend the Master Complaint seeks to add as defendants Johnson & Johnson Holdco (NA), Inc., Janssen Pharmaceuticals, Inc., and/or Kenvue, Inc. and to deem these changes, among others, incorporated into all Plaintiffs’ short form complaints. [Doc. No. 26636, 26636-3.]

4. On September 20, 2023, Defendants filed a brief in opposition to the Renewed Motion to Amend the Master Complaint including the addition of defendants Johnson & Johnson Holdco (NA), Inc., Janssen Pharmaceuticals, Inc., and/or Kenvue, Inc.

5. On October 4, 2023, Plaintiffs filed a Reply in Support of the Renewed Motion for Leave to File a Second Amended Master Long Form Complaint.

6. It has come to the Court’s attention that some individual plaintiffs have sought to add as defendants Johnson & Johnson Holdco (NA), Inc., Janssen Pharmaceuticals, Inc., and/or Kenvue, Inc., in some cases by moving to amend but in other cases by simply filing an amended complaint without leave of court.

7. In the interest of judicial efficiency, the Court determines that the propriety of adding Johnson & Johnson Holdco (NA), Inc., Janssen Pharmaceuticals, Inc., and/or Kenvue, Inc. as defendants is best assessed in the context of the Renewed

Motion to Amend the Master Complaint. The Court's ruling shall apply to all short form complaints, currently filed complaints, amended complaints, and motions as well as to complaints, amended complaints, and motions filed after the date of this Order, provided there are no additional facts or changed circumstances that would affect the application of the order to the applicable Master Long Form Complaint or to an individual case.

THE HONORABLE MICHAEL A. SHIPP